

SCOPE AND OBJECTIVES FOR 2007-120, San Quentin State Prison, Housing Alternatives for Condemned Inmates

The audit by the Bureau of State Audits will provide independently developed and verified information related to alternative sites for condemned inmate facilities and would include, but not be limited to, the following:

1. Review and evaluate the laws, rules, and regulations relevant to the issues.
2. Review the alternatives considered by the department and determine whether the department's cost/benefit analyses for each alternative considered all relevant factors.
3. Review the original CIC project and cost plans and compare them to the revised project plan and actual costs to date and projected cost through the end of construction.
4. Identify the parameters for constructing and maintaining a facility for housing condemned inmates such as the statutory requirement that a death sentence be carried out at San Quentin and statutory requirements regarding classification procedures and attorney client access procedures.
5. Determine various alternatives for housing condemned inmates considering the parameters identified in 4 above. Alternatives proposed should include options for:
 - a. Building housing for condemned inmates elsewhere on the San Quentin property while preserving the possibility of using part of the site for nonprison-related options.
 - b. Building the CIC on an alternate site.
6. For all alternatives developed, analyze the costs and benefits of each alternative and, at a minimum, consider the following:
 - a. Respective alternative sites' capital outlay costs and projected expenditures for ongoing maintenance and operations.
 - b. Alternative sites' access and proximity to state and federal courts, counsel, medical care, and family.
 - c. Costs of transporting condemned inmates to courts, counsel, and medical care and other relevant resources.
 - d. Concerns with housing condemned inmates at sites other than San Quentin, and the significance of those risks to staff and the public.

- e. Finding qualified counsel to represent inmates.
 - f. Compliance with relevant legal orders.
7. Review the relative benefits associated with constructing a new condemned inmate facility at San Quentin as identified by the department or other sources. Contrast these with studies that have identified benefits that could be derived by using the site for alternative uses, such as transportation, housing, and other regional and state needs.

Note: At the JLAC hearing on August 29, 2007, the members of the committee asked that the authors take an amendment to audit request 2007-120 which slightly expanded the scope. They asked that the audit also compare California construction costs, as it relates to condemned inmate facilities, to other states. They stressed information used for the comparison should be limited to what is available. The motion was made and seconded, and subsequently passed.